



HR1002

LRB095 19792 LCT 46173 r

1

HOUSE RESOLUTION

2

WHEREAS, On October 30, 2007, the Canadian National Railway Company along with its wholly owned U.S. subsidiary, the Grand Trunk Corporation, filed an application with the U.S. Surface Transportation Board seeking approval to acquire the EJ & E West Company, a wholly owned subsidiary of the Elgin, Joliet, and Eastern Railway Company; and

8

WHEREAS, The acquisition of EJ & E is not a component of the Chicago Regional Environmental and Transportation Efficiency (CREATE) program, a public-private partnership between Chicago, the State of Illinois, the United States Government, and the nation's largest rail carriers; and

13

WHEREAS, CREATE will invest \$1.5 billion in critically needed improvements to increase the efficiency of the region's rail infrastructure without rerouting massive train traffic through small towns, residential neighborhoods, and unimproved, at-grade grade crossings; and

18

WHEREAS, The proposed acquisition by Canadian National Railway Company (CN) would involve shifting a significant amount of train traffic that currently moves over CN rail lines in the City of Chicago to sections of the EJ & E rail lines west and south of the City of Chicago, including a segment that runs

22

1 through the counties of Will, DuPage, Grundy, Kane, and Cook;  
2 and

3 WHEREAS, These counties are experiencing exceptional  
4 population growth, including Will County that is one of the  
5 fastest-growing counties in terms of population growth in the  
6 nation; and

7 WHEREAS, With this exceptional growth come concerns  
8 ranging from traffic congestion to emergency services to  
9 environmental safety; and

10 WHEREAS, On top of these existing concerns, with the  
11 proposed EJ & E merger some communities will experience freight  
12 train traffic every 35 minutes which will cause significant  
13 increases in congestion and safety concerns; and

14 WHEREAS, These communities have engaged in future public  
15 transportation upgrades that would address traffic congestion  
16 and environmental concerns; specifically the STAR Line, a  
17 commuter rail corridor providing rail passenger service around  
18 the outer circumference of the greater Chicago metropolitan  
19 region will need to utilize a portion of the EJ & E  
20 right-of-way; and

21 WHEREAS, The proposed acquisition could threaten

1 implementation of the STAR Line; and

2 WHEREAS, The proposed acquisition plan, as outlined in the  
3 Draft Scope of the Environmental Impact Study, will not include  
4 space for the STAR Line right-of-way unless significant capitol  
5 improvements are planned, approved, and funded; and

6 WHEREAS, Some communities will experience over 500%  
7 increase of hazardous material routed through their  
8 municipalities causing environmental and public safety  
9 concerns; and

10 WHEREAS, The EJ & E line in question has a total of 133  
11 public highway grade crossings, with only 104 being equipped  
12 with automatic flashing light signals and gates for safety; and

13 WHEREAS, The EJ & E currently has 7 public pedestrian-rail  
14 grade crossings that are not equipped with automatic safety  
15 devices; and

16 WHEREAS, The Illinois Commerce Commission has testified  
17 that they have no jurisdiction in the matter of the acquisition  
18 of EJ & E by CN and that the U.S. Surface Transportation Board  
19 has sole authority in regulating the proposed purchase of the  
20 EJ & E; and

1           WHEREAS, The Illinois Commerce Commission filed a "Notice  
2 of Intent to Participate" with the Surface Transpiration Board  
3 regarding the review of the Safety Integration Plan and the  
4 Environmental Impact Statement related to the acquisition of  
5 the EJ & E; therefore, be it

6           RESOLVED, BY THE HOUSE OF REPRESENTATIVES OF THE  
7 NINETY-FIFTH GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, that  
8 with such high growth communities, road traffic, and rail  
9 traffic occurring in the same location it would be a disservice  
10 to the local governments effected to approve this acquisition  
11 without a long term planning as to what improvements must be  
12 made to alleviate the congestion and safety issues that will be  
13 the result; and be it further

14           RESOLVED, That a study should be conducted on traffic  
15 patterns including estimated traffic growth with a 20-year  
16 outlook to predict the average daily traffic, grade crossings,  
17 and the necessary upgrades that will be needed to safely  
18 operate the EJ & E Line as part of the CN system; and be it  
19 further

20           RESOLVED, That a study of the impacts, especially response  
21 delays, on all emergency service providers, not just hospitals,  
22 is included in the Socio-Economic and Land Use portion of the  
23 Environmental Impact Study; and be it further

1           RESOLVED, That the planned implementation of the STAR Line  
2 passenger service should be included in the approval of the  
3 acquisition of the EJ & E; and be it further

4           RESOLVED, The Illinois Commerce Commission should have a  
5 role in the decisions made by the Surface Transportation Board  
6 regarding the EJ & E purchase by CN; and be it further

7           RESOLVED, That we strongly urge the U.S. Surface  
8 Transportation Board take into account the severity of the  
9 increases in rail traffic in the affected communities and to  
10 make decisions regarding this acquisition that are will  
11 maximize the quality of life of the citizens within the  
12 counties of Will, DuPage, Grundy, Kane, and Cook; and be it  
13 further

14           RESOLVED, That we urge the Canadian National Railway  
15 Company to acknowledge that the train traffic increases that  
16 they are proposing will put a significant burden on the  
17 citizens of the counties of Will, DuPage, Grundy, Kane, and  
18 Cook, as well as local governments in all of these counties,  
19 and that a good faith effort to work with these communities in  
20 the coming months and years to alleviate these burden should be  
21 a priority; and be it further

1           RESOLVED, That a suitable copy of this resolution be  
2 presented to the Chairman of the Surface Transportation Board,  
3 the President of the Canadian National Railway Company, the  
4 Chairman of the Will County Board, the Chairman of the DuPage  
5 County Board, the Chairman of the Grundy County Board, the  
6 Chairman of the Kane County Board, the Chairman of the Cook  
7 County Board, the members of the Illinois Congressional  
8 delegation, the Administrator of the CREATE program, the  
9 Secretary of the Illinois Department of Transportation, the  
10 Chairman of the Illinois Commerce Commission, and the President  
11 and the Chairman of the Chicago Transit Authority.